

Judge Ricardo S. Martinez

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

ANTHONY R. BENSON,
KELLY A. DONALDSON,
ANTHONY A. EDWARDS,
LEROY D. McWILLIAMS, and
TRACY D. McWILLIAMS,

Defendants.

NO. CR05-0452RSM

ORDER CONTINUING TRIAL

The Court has considered the Joint Motion filed by the Government and KELLY A. DONALDSON, ANTHONY A. EDWARDS, LEROY D. McWILLIAMS, and TRACY D. McWILLIAMS pursuant to 18 U.S.C. § 3161(h)(8)(A) concerning a continuance of the trial in this case:

The Court finds that this is a complex case involving extensive discovery. The Court further finds that the Government recently has discovered evidence of additional fraud committed by one or more of the Defendants.

The Court further finds that continuing the trial in this case is necessary to allow defense counsel adequate time to investigate both the original and the newly-discovered fraud, and to prepare effectively for trial.

1 The Court further finds, pursuant to 18 U.S.C. § 3161(h)(8)(A), that the ends of
2 justice served by continuing the trial in this case outweigh the interest of the public and of
3 the Defendants in a more speedy trial.

4 IT IS, THEREFORE, ORDERED that the trial in this case shall be continued until
5 May 22, 2006, and that the period of time from February 27, 2006, up to and including May
6 22, 2006, shall be excludable time under 18 U.S.C. § 3161(h)(8)(A); and

7 IT IS FURTHER ORDERED that the deadline for filing pretrial motions in this case
8 shall be April 7, 2006, and that responses to motions shall be due April 21, 2006.

9 DONE this 23rd day of February, 2006.

10 

11 RICARDO S. MARTINEZ
12 UNITED STATES DISTRICT JUDGE

13 Presented by:

14 s/Andrew C. Friedman
15 ANDREW C. FRIEDMAN
16 Assistant United States Attorney
17 United States Attorney's Office
18 700 Stewart Street, Suite 5220
19 Seattle, Washington 98101-3903
20 Telephone: (206) 553-7970
21 Fax: (206) 553-0755
22 E-mail: Andrew.Friedman@usdoj.gov

23 s/Gilbert H. Levy

24 GILBERT H. LEVY
25 Counsel for KELLY A. DONALDSON
26 2001 Western Avenue, Suite 200
27 Seattle, Washington 98121-2114
28 Telephone: (206) 443-0670
Fax: (206) 448-2252

s/Lee A. Covell
LEE A. COVELL
Counsel for ANTHONY A. EDWARDS
119 First Avenue South, Suite 500
Seattle, Washington 98104-3400
Telephone: (206) 682-6644
Fax: (206) 682-3002

s/Timothy S. McGarry
TIMOTHY S. MCGARRY
Counsel for LEROY D. McWILLIAMS
1416 East Thomas Street
Seattle, Washington 98112
Telephone: (206) 322-1555
Fax: (206) 322-6118

s/Stewart P. Riley
STEWART P. RILEY
Counsel for TRACY D. McWILLIAMS
800 Fifth Avenue, Suite 4000
Seattle, Washington 98104-3180
Telephone: (206) 622-0925
Fax: (206) 292-9736